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1374.43386X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Yuji WADA et al
Serial No.: 10/765,917
Filed: January 29, 2004
For: FABRICATION METHOD OF SEMICONDUCTOR
INTEGRATED CIRCUIT DRIVE
Art Unit: 3729
Examiner: Paul D. Kim

RESPONSE

Mail Stop Amendment - No Fee

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 11, 2006

Sir:

In response to the Office Action mailed July 11, 2006, Applicants respectfully elect the Species A, drawn to Fig. 1. It is respectfully submitted that claims 1-8 read on this Species A and are to be considered on the merits in the above-identified application.

Applicants respectfully traverse this election-of-species requirement in view of the following. Thus, Applicants particularly direct attention to what the Examiner has characterized as "Species B, drawn to Fig. Not shown". It is to be noted that the Examiner indicates in Item 1 on page 2 of the Office Action mailed July 11, 2006, that "Species B has a special technical feature of a process of pushing the second electrode by the probe needle prior to contact the contact terminal with the first

electrodes". However, it is respectfully submitted that the description of Species B as set forth in the Office Action mailed July 11, 2006, is not a sufficient description to satisfy requirements of 35 U.S.C. §132. That is, it is respectfully submitted that the description of Species B in the Office Action of July 11, 2006, is not a sufficient statement of reasons for the requirement, for Applicants to reply with any specific traverse. From the Office Action mailed July 11, 2006, there is not a sufficient description of the Species B, for Applicants to make a determination as to propriety of the requirement; and, moreover, there is not a sufficient description of Species B in order to determine whether or not there is a generic or at least a sub-generic claim in the application. The Examiner is respectfully requested to further define Species B, for example, in connection with an embodiment described in the specification of the above-identified application, in order for Applicants to be able to determine whether to further traverse the election-of-species requirement, if necessary; and, in order for Applicants to determine whether a generic/sub-generic claim is present in the application and/or is to be added.

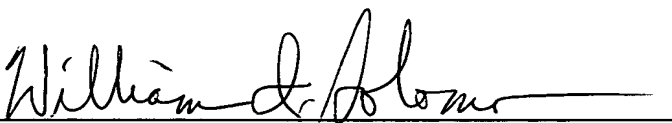
In view of the foregoing, and in order to provide a complete response to the Office Action mailed July 11, 2006, Applicants respectfully elect Species A for prosecution on the merits in the above-identified application, and hereby state that claims 1-8 read on this elected species. Moreover, Applicants make this election with traverse in view of the failure by the Examiner to provide an adequate description of Species B, and respectfully request that a sufficient description of Species B be given so as to provide Applicants with sufficient information to proceed and so as to satisfy requirements of 35 U.S.C. §132. Applicants retain the right to

further traverse the election-of-species requirement upon receiving a sufficient statement describing Species B.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (1374.43386X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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